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GREER, BURNS & CRAIN
300 S WACKER DR.
25TH FLOOR
CHICAGO, IL 60606

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OFFICE OF PETITIONS

In re Application of
Yuri Bolotinsky, et. al.
Application No. 09/830,468
Filed: June 11, 2001
Attorney Docket No. 1811.65458

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 15, 2003, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Restriction mailed August 1, 2002, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight September 1, 2002.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The petition is **GRANTED**.

The application is being forwarded to Technology Center 2800.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy